

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
SAMMART FASHION CO. LTD.,  
Plaintiff

-against-

07 CV 4035 (DAB)  
ORDER

WEAR ME APPAREL CORP. d/b/a KIDS  
HEADQUARTERS and HEYMAN CORPORATION,  
Defendants.

-----X  
DEBORAH A. BATTS, United States District Judge.

The Complaint in the above-captioned action was filed on May 23, 2007. Defendant Heyman Corporation (hereinafter, "Heyman") was served with the Complaint and Summons in this action on June 4, 2007. On January 28, 2008 Plaintiff filed a Motion for Default Judgment against Defendant Heyman. On February 26, 2008, Defendant filed a Motion to Dismiss the Complaint, pursuant to Rule 12(b)(2) of the Federal Rules of Civil Procedure.

In light of the fact that, as of April 17, 2008, the Parties in this case fully submitted their briefing on Defendant Heyman's Motion to Dismiss, Plaintiff's Motion for Default Judgment against him is moot. Plaintiff's Motion for Default Judgment is therefore DENIED.

SO ORDERED.

Dated: New York, New York  
August 20, 2008



DEBORAH A. BATTS  
United States District Judge

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ELECTRONICALLY FILED  
8/27/2008

FILED ENDORSED

